

Atty. Dkt. No. 00CR063/KE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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Applicant: Mitchell, James P.
Title: COMMUNICATION SYSTEM
AND METHOD FOR A MOBILE
PLATFORM
Appl. No.: 09/493,472
Filing Date: 01/28/2000
Examiner: Lambrecht, Christopher M.
Art Unit: 2611

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Sheila Mathews (Printed Name) Sheila Mathews (Signature) 7/12/07 (Date of Deposit)
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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, James P. Mitchell, state and declare that:

1. I am the inventor of Claims 1-30 currently pending in U.S. Patent Application No. 09/493,472 titled "COMMUNICATION SYSTEM AND METHOD FOR A MOBILE PLATFORM"
2. Prior to September 27, 1999, I conceived and actually reduced to practice in the United States the ideas set forth in Claims 1-30 of the above-referenced application (as evidenced by the attached Exhibits A and B).
3. I hereby incorporate by reference my declaration filed September 27, 2006. The purpose of the present Declaration is to supplement my earlier declaration to provide additional evidence establishing conception and reduction to practice of the claimed invention prior to September 27, 1999.
4. Exhibits A (11 pages), titled "DBS Aviation Data Channel Concept," is a redacted copy of pages from a document outlining and describing the specifications and functionality of a communication and video system for a mobile platform.
5. Exhibit A is a PowerPoint presentation outlining a communication and a video system for a mobile platform (shown as an airplane). Exhibit A includes several of the drawings included in the above-referenced patent application. For example, Figure 3 of the patent application corresponds to the drawing shown on page 3 of Exhibit A.

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Figure 6 of the patent application corresponds to the drawing shown on page 4 of Exhibit A, Figure 7 of the patent application corresponds to the drawing shown on page 6 of Exhibit A, Figure 8 of the patent application corresponds to the drawing shown on page 7 of Exhibit A and Figures 11 and 12 of the patent application correspond to the drawing shown on page 2 of Exhibit A.

6. I created Exhibit A in the United States prior to September 27, 1999.
7. Exhibit B (3 pages), titled "ATC DBS Technology Demonstration," is a redacted copy of pages from a document outlining and describing the demonstration of a communication and video system for a mobile platform.
8. I created Exhibit B in the United States prior to September 27, 1999.
9. The demonstration documented in Exhibit B was conducted in the United States.
10. The demonstration documented in Exhibit B involved a system that corresponded to the subject matter claimed in the present application. In particular, the demonstrated system was a communication and a video system suitable for use with a mobile platform (e.g., an airplane). The demonstrated system included a server configured to be located at a docking area (e.g., a gate) for the mobile platform, a wireless docking area transceiver, a first satellite receiver and a first storage unit. The server stored order wire data received by the first satellite receiver and stored video data received by the first satellite receiver in the storage unit in response to the order wire data. The demonstrated system further included a second satellite receiver, a wireless platform transceiver and a second storage unit configured to be located on the mobile platform. The wireless platform transceiver received the order wire data and the video data from the wireless docking area. The second storage unit stored video data for playback and stored the order wire data. The order wire data controlled a source of video for playback of a program. As such, the subject matter claimed in the above-referenced patent application was demonstrated operational by this demonstration.
11. The demonstration documented in Exhibit B took place on June 29-30, 1999.
12. Sometime between July 1999 and January 2000, an invention disclosure relating to the above-referenced patent application was submitted by my employer, Rockwell Collins, Inc., to the law firm of Foley & Lardner LLP.
13. On January 11, 2000, Joseph N. Ziebert sent a draft of the above-referenced patent application to me as indicated in the cover letter attached hereto as Exhibit C.
14. On January 18, 2000, Joseph N. Ziebert advised Kyle Epple that the above-referenced patent application was ready for filing as indicated in the cover letter attached hereto as Exhibit D.
15. On January 28, 2000, the above-referenced patent application was filed with the United States Patent and Trademark Office.

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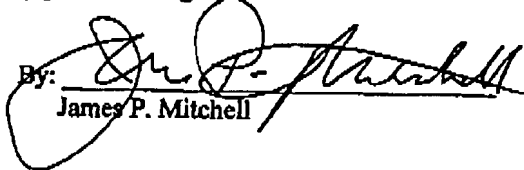
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16. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application or any patent issuing therefrom.

Date:

July 11, 2007

By:


James P. Mitchell

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